



# Meeting Summary

## Lower Sacramento Regional Conditions Work Group Meeting #8

**May 6, 2010, 8:30 am – 12:30 pm**

**Location: DWR West Sacramento Office  
3500 Industrial Blvd, Room 119  
West Sacramento, CA 95691**

### WORK GROUP ATTENDANCE:

Name	Organization	Status
Francis Borcalli	FloodSAFE Yolo; Water Resources Association of Yolo County	Member
Bill Busath	City of Sacramento	Member
Bill Center	American River Recreation Association, Planning & Conservation League, CABY (Cosumnes, American, Bear, Yuba) IRWMP	Member
William Edgar	Sutter Butte Flood Control Agency	Member
Miki Fujitsubo	U.S. Army Corps of Engineers (USACE)	Member
Gena Lasko	California Department of Fish and Game	Member
Tom Smythe	Lake County	Member
Ronald Stork	Friends of the River	Member
Jeffrey Twitchell	District One of Sutter County; urban and rural interests of Yuba City-Sutter Basin	Member
Tim Washburn	Sacramento Area Flood Control Agency	Member
Warren Westrup	Yolo County Department of Parks and Resources	Member
Jeremy Arrich	CA Department of Water Resources	CVFPO* Chief
Stacy Cepello	CA Department of Water Resources	CVFPO**
Todd Hillaire	CA Department of Water Resources	DWR*** Northern Region
Ken Kirby	Kirby Consulting	CVFPO Executive Advisor
Erin Mullin	CA Department of Water Resources	CVFPO**
Loren Murray	CA Department of Water Resources	DWR*** Regional Coordinator
Cait Plantaric	CA Department of Water Resources	FloodSAFE Division of Flood Management
Michael Sabbaghian	CA Department of Water Resources	Flood Management Project Development Branch Chief

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Name	Organization	Status
Pierre Stephens	CA Department of Water Resources	DWR Lead
Michele Ng	CA Department of Water Resources	CVFPO**
Vanessa Nishikawa	MWH Americas Inc.	Technical Lead
Yung-Hsin Sun	MWH Americas Inc.	Team
Craig Wallace	MWH Americas Inc	Team
Mike Harty	Kearns & West	Facilitator
Janet Thomson	Kearns & West	Facilitation Support / Note Taker

\*Central Valley Flood Management Planning

\*\*Central Valley Flood Planning Office

\*\*\*California Department of Water Resources

### Absent:

Mike Bessette	City of West Sacramento	Member
Ryan Bonea	Sutter County Resource Conservation District	Member
Andrea Clark	Three Rivers Levee Improvement Authority	Member
Dan Fua	Central Valley Flood Protection Board	Member
Tovey Giezentanner	Conaway Preservation Group LLC; RD 2035; Water Resources Association of Yolo County	Member
Mike Hardesty	RD 2068, RD 2098, California Central Valley Flood Control Association	Member
Tim Miramontes	Yolo County Farm Bureau; California Rice Commission; California Farm Bureau Rice Advisory	Member
Helen Swagerty	River Partners	Member

No observers were in attendance.

### WORK GROUP HOMEWORK/ACTION ITEMS

1. Provide comments on the Regional Conditions Report (RCR) and Interim Progress Summary 1 (IPS1) to Pierre Stephens by Friday, May 14, 2010.
2. Return completed Phase 2 Participation Forms to Vanessa Nishikawa ([Vanessa.A.Nishikawa@us.mwhglobal.com](mailto:Vanessa.A.Nishikawa@us.mwhglobal.com)) as soon as possible.
3. For access to the CVFPP Sharepoint site, contact Janet Thomson ([jthomson@kearnswest.com](mailto:jthomson@kearnswest.com), 415-391-7900).

### GROUP RECAP (meeting highlights for use by Work Group partners in their communications)

The Lower Sacramento Regional Work Group (Work Group) of the Central Valley Flood Management Program (CVFMP) continued its work on May 6, 2010 with the following actions:

- Reviewed the structure of the Regional Conditions Report (RCR) and how it will fit into the 2012 Central Valley Flood Protection Plan (CVFPP).
- Reviewed and provided comments on the Interim Progress Summary 1 (IPS1).
- Discussed “next steps” and how Phase 1 Work Group input will be used in Phases 2- 4, and support the integrated and systemwide basis for the development of the 2012 CVFPP.

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- Solicited participation for the Phase 2 Lower Sacramento Regional Work Group.

The purpose of the Phase 1 Work Groups was to contribute to the development of content for the RCR, which is a key component for developing the 2012 CVFPP. The RCR identifies resources, existing conditions within the Central Valley, flood management and related problems and opportunities, and goals and objectives for use in preparing the CVFPP. The Lower Sacramento Regional Work Group is one of five regional work groups for the CVFPP.

### MEETING GOALS

1. Close Phase 1 work
2. Determine Work Group perspectives regarding the accuracy and approach of the RCR and IPS1
3. Orient Work Group members on the revised process of developing the 2012 CVFPP
4. Review and augment Phase 1 Stakeholder Assessment findings
5. Describe next steps in the process, Phase 2 Work Groups, and opportunities for involvement – invite participation in the next phase

### SUMMARY

#### Welcome and Greetings

Mike Harty, meeting facilitator, welcomed the Work Group participants and reviewed the meeting purpose, goals and agenda.

#### Opening Remarks

Jeremy Arrich, the new Central Valley Flood Planning Office (CVFPO) Chief, introduced himself to the work group. Since his arrival as the CVFPO Chief in March 2010, Jeremy has been working with internal DWR staff to become fully briefed on the Phase 1 work group activities. DWR will have a greater presence in future work group meetings, workshops, and product development, and Jeremy is ensuring that the relevant divisions within DWR are involved with CVFPP activities, when appropriate. DWR will be placing managers as the executive sponsors for Phase 2 work groups to allow for greater coordination between DWR divisions and the CVFPP planning effort. Noel Lerner will serve as the Lower Sacramento Regional Work Group Executive Sponsor.

Pierre Stephens, DWR lead, provided an overview of the CVFPP planning process through January 2012. Phase 1 focused on defining existing and future conditions. The next three phases of the program will focus on identifying management actions (Phase 2), forming regional solution sets (Phase 3), and forming systemwide solution sets (Phase 4).

#### Regional Conditions Report (RCR) and Interim Progress Summary 1 (IPS1)

Michele Ng, Central Valley Flood Planning Office (CVFPO) lead, presented an overview of the RCR and IPS1. The RCR is a working document that documents the input from the first phase, reflects the various interests from the five regions, and serves as a foundation for a programmatic environmental document. While comments are welcome on the RCR it will not be re-issued; instead, an addendum to the RCR will be issued if changes are needed. The RCR has been refined to include improved planning area descriptions, verified technical comments, additional context regarding environmental regulations and permitting, additional information from topic work group discussions, refined goals that are aligned with the legislation, refined principles grouped into categories, and categories of objectives rather than specific objectives. All content regarding potential management actions will be moved into Phase 2 documentation.

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The IPS1 serves as a summary document for planners, partners, and the public and contains background information, interim findings, regional conditions, communications and engagement activities conducted to date, and next steps in the process.

Question: What is the difference between the green and the orange areas on the maps in the RCR?

Answer: The orange areas are the lands currently receiving protection from the State Plan of Flood Control (SPFC) facilities. The green areas include lands subject to flooding under the current facilities and operation of the Sacramento-San Joaquin River Flood Management System.

Question: Are the green areas on the maps protected by levees?

Answer: Some of the green areas are protected, some are not; but the state has given assurances only for the orange areas. The green area is defined in the legislation as the area DWR must study and consider in the planning process. The orange areas are those for which the state must provide protection under the plan.

Comment: It is crucial that people who see these maps understand that for the green areas, the state of California provides no special flood protection to property owners. It would be useful for the plan to clarify why certain facilities and systems are included in the SPFC and why others are not so that DWR has a defensible state plan and is not held liable for flood protection in areas for which it does not think it has provided assurances.

Answer: Part of the development of the SPFC Descriptive Document involves identifying which facilities are included in the SPFC. The DWR legal team has and will continue to review the CVFPP as it evolves to ensure that the issue of liability is adequately addressed.

Comment: There are two approaches DWR can use to develop the CVFPP. One is to clarify that there is no clear statewide plan for flood control and that the SPFC is based on an assortment of facilities and systems without a binding logic or coordinated plan for flood control. A second option is to use the development of the CVFPP to create a legally defensible statewide plan of flood control. I am concerned that when the courts are forced to look at the CVFPP they will come to the conclusion that the state has a plan for flood control that includes both the orange and green areas, and will therefore hold the state liable for flood damage within both those areas.

Answer: While the legal definition in the Public Resources Code for "Facilities of the State Plan of Flood Control" is subject to some interpretation, DWR does not believe that affects the legal defensibility of the CVFPP. The development of the CVFPP is to focus on integrated flood management within the Sacramento and San Joaquin Valleys; while liability is an aspect of that work, it is not the sole focus of the program. The CVFPP will clearly distinguish where the state has given assurances for flood protection (orange areas on the map) and where it has not (green areas on the map).

*[Note: there was an extended discussion about the importance of clarifying liability issues that is not reproduced in this summary.]*

Question: How will Integrated Regional Water Management (IRWM) planning and engagement be coordinated with this flood planning effort?

Answer: The IRWM process is parallel to this one. The next round of IRWM plans in the Central Valley will be able to use the information from the CVFPP process to inform consideration of flood control within those areas. When we move into Phase 3 (development of regional solution sets) of the CVFPP we will incorporate ideas and activities from the IRWM processes. We anticipate that the engagement for the new statewide flood planning program will be coordinated closely with the IRWM planning process and the California Water Plan.

Comment: The graphic in the IPS1 that describes regional interests and differences does not fully describe some fundamental differences that will need to be addressed in the planning process. How and when will those differences be resolved in this process?

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Answer: Those differences appear in greater clarity in the RCR, and they will be dealt with more directly during Phases 3 and 4 when the groups address regional and systemwide solutions sets.

Comment: It will be important to ensure that the differences raised in the topic work groups are also addressed in this process.

Comment: I am concerned about coordination with local entities on issues such as development within floodplains. I do not see this mentioned in the RCR and IPS1, and it is a fundamental issue for successful flood protection and floodplain management. How and when will the state be coordinating with local entities on this?

Answer: This document does not explicitly address urban levels of protection because it is an initial step that focuses on defining the problems and setting goals. As part of the goal to improve flood risk management for the entire system we will need to look at specific ways to assist local entities with meeting new requirements (such as implementation of building codes). We expect to set up a topic work group to assist with setting criteria for complying with new standards and we are considering convening a new group with urban representatives from the Sacramento and San Joaquin Valleys to meet with us on this issue. Additionally, DWR is issuing a handbook for land use planners to clarify what the requirements are. (More information can be found now at [www.water.ca.gov/buildingcodeupdate](http://www.water.ca.gov/buildingcodeupdate) and later this year at [www.water.ca.gov/locallanduseplanning](http://www.water.ca.gov/locallanduseplanning).)

Comment: DWR should be informing local entities about these floodplain management activities.

Answer: DWR has been conducting briefings with local agencies and will continue to reach out to the local cities and counties within the planning area to let them know about the requirements.

Comment: The state should ensure that the plan includes not just levee stability, flows, and discharge, but also flood management activities and flood insurance, including an articulation of the responsibilities for communities and individuals.

Comment: The distinctions between the design and levels of protection of urban and non-urban levees are crucial and must be addressed. Additionally, citizens must be regularly informed about residual flood risk and options for dealing with that risk.

Question: When will the SPFC Descriptive Document be completed?

Answer: The current draft is available now; a revised version will be available in June. DWR is still receiving comments about the SPFC Descriptive Document. A DVD is available with the Descriptive Document that contains useful appendices including historical information, Corps of Engineers manuals, and other information. DWR can provide copies of the Descriptive Document DVD to anyone who is interested.

### Phase 1 Stakeholder Assessment

Mike Harty reviewed the outcomes of the stakeholder assessment process. Based a series of interviews with group partners, the facilitation team determined that there is basic support for the planning process thus far although participants are reserving judgment about the CVFPP until it is complete. Overall, work group participants felt that the work load and pace of the process were overwhelming; future planning phases will be redesigned to address those concerns. Additionally, respondents indicated a need for further outreach to local entities and other interested stakeholders, greater clarity on the roles of planning team members, and greater clarity on how all the feedback will be integrated into the planning documents.

### Overview of Phase 2 and Next Steps

Vanessa Nishikawa described the upcoming Phase 2 activities, which will include a combination of regional and topic work group meetings and planning area-wide workshops to identify and clarify potential management actions. Management actions are specific actions contributing to CVFPP goals and addressing problems and opportunities; these address both structural and non-structural strategies and actions. The management actions will serve as building blocks for regional and systemwide solutions.

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Phase 2 (June through August) will include:

- An initial round of regional work group meetings to review potential management actions and prepare for workshops
- A round of category-based workshops (likely 2-4 hours each) that will focus on a detailed review of categories of management actions (e.g. disaster preparedness, response and recovery, floodplain management, etc.)
- A round of application-based workshops (likely 2-4 hours each) that will focus on the applicability of various management actions in different areas (e.g., urban, small communities, rural, agricultural, etc.)
- A series of topic work group meetings to solicit feedback on highly technical, narrowly focused issues (e.g. financing and revenue, urban levels of protection, climate change, etc.)
- Concluding regional work group meetings to review the results of the workshops

Members of the public will be invited to participate in the workshops along with members of the regional and topic work groups. Phase 2 will result in a management actions report and an Interim Progress Summary #2. Throughout this phase, DWR will continue to conduct briefings with local entities and other interested parties.

The near-term schedule includes the following activities:

- Conclusion of Phase 1 activities (through mid-May)
- Recruitment for Phase 2 regional and topic work groups (through early June)
- Valleywide Forum (June 3)
- First round of Phase 2 work group meetings (mid-late June)
- First round of Phase 2 workshops (late June)

Question: How will information from the Bay Delta Conservation Plan (BDCP) be incorporated into this planning effort?

Answer: The approaches identified in the memo from Secretary Chrisman in October 2009 are still supported by DWR. DWR will work with the new Delta Stewardship Council to move forward on these approaches, and will be convening a joint meeting of the policy and project management representatives of all the major programs, including the Corps of Engineers, in August-September this year to continue coordination. During the Phase 3 work on regional solution sets DWR will incorporate information from BDCP and other efforts.

Comment: We should make sure that insurance against residual flood risk is a topic for one of the workshops.

Question: Will the workshops be focusing on individual regions or on the entire planning area?

Answer: The workshops will look at potential management actions across the entire planning area. The potential management actions will be examined from a regional perspective during phase 3.

Comment: We will likely need workshops that are longer than 2-4 hours to address many of these complex topics.

Answer: DWR intends to provide materials for the workshops in advance and use the documents as a basis for discussion during the workshops.

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### Updates and Questions

Jeremy Arrich provided two updates to work group members:

- A Valleywide Forum will be held on the afternoon of June 3. Notification will go out as soon as facilities are booked and the schedule is finalized. This event will be webcast to allow for greater participation. The Valleywide Forum will include two panel discussions and will serve as an opportunity to get all the regions together to hear each others' perspectives.
- The California Levees Roundtable group is being reformulated into a California flood management roundtable. This allows a broadening of the discussion to include all risk factors.

Question: Will that group work out the issue about vegetation on levees?

Answer: That will likely be under discussion.

Comment: I hope that the disbanding of the levees roundtable does not indicate that the state is placing less importance on the levee issue, in particular.

Answer: The intent of reformulating the roundtable is to allow for improved conversation about flood management; it is not intended to end the discussion about levees.

Jeremy thanked the work group members for their participation and encouraged their continued participation in Phase 2 of the process.